

10 The term "tour bus," "tour vehicle," "taxicab," "taxi," "for hire," or "livery car" shall not include
11 any vehicle which is used primarily in the rendition of regular local transit service over a definite
12 and fixed route in accordance with a prescribed schedule operated solely by a governmental
13 agency, private college or university, or political subdivision of the City of New Orleans or the
14 State of Louisiana."

15 **"Sec. 162-47. – Bureau created.**

16 There is hereby created a ground transportation bureau, which shall consist of a supervisor
17 appointed by the director of the department of safety and permits and such other employees as
18 may be necessary to carry out the functions and duties of the bureau."

19 **"Sec. 162-188 - Bus and limousine.**

20 A CPNC shall be issued for buses or limousines only after a written application is filed with the
21 department of safety and permits, a public hearing is convened, due notice is given to the
22 applicant as well as to all competing companies stating that they might appear as intervenors, and
23 a finding is reached by the director of the department of safety and permits that public
24 convenience and necessity require the issuance of a certificate to the applicant. This section shall
25 not apply to an applicant for a CPNC for a school bus."

26 **"Sec. 162-190 - Types for buses and limousines.**

27 A certificate of public necessity and convenience will be issued for buses, limousines or other
28 for-hire vehicles, except taxicabs, school buses, vehicles not operated on fixed rails, vehicles
29 upon specified routes or between fixed terminals, vehicles under one or more of the following
30 categories:

31 ***"

1 **SECTION 2.** That Chapter 162, Article XVI of the Code of the City of New Orleans is
2 hereby ordained to read as follows:

3 **“Chapter 162 – VEHICLES FOR HIRE**

4 ***

5 **ARTICLE XVI: SCHOOL BUSES**

6 **Division 1. – Generally**

7 **Sec. 162-1800. – Certificate required.**

- 8 (a) No school bus shall be operated on the streets of the city unless the owner of such
9 vehicle has first applied for and received a certificate of public necessity and
10 convenience (CPNC) in the manner provided in this chapter.
- 11 (b) It shall be unlawful for any person to transport or offer to transport passengers in any
12 school bus which does not have affixed to the windshield thereof a valid for-hire
13 vehicle inspection certificate issued along with a valid CPNC as set forth by the
14 director of safety and permits.
- 15 (c) All certificates of public necessity and convenience shall remain as the property of the
16 City.
- 17 (d) Notwithstanding Section 162-321, school bus CPNCs shall not be transferred, sold, or
18 given from one holder to another including the sale of one company in its entirety to
19 another.
- 20 (e) Delinquency penalty. A CPNC expires on April 30 of each year and must be renewed
21 within the month following expiration (May) for a fee of \$150.00. A CPNC renewal
22 that is submitted in the month of June is subject to a delinquency penalty of \$150.00 in
23 addition to the renewal fee of \$150.00. A CPNC renewal that is submitted in the month
24 of July is subject to a delinquency penalty of \$150.00 in addition to the renewal fee and
25 the June delinquency penalty. A CPNC shall not be renewed after July 31; however, the

26 director of the department of safety and permits (or his designee) at his discretion may
27 make an exception for good cause shown by the CPNC holder. The request for an
28 exception must be made in writing before August 1 and if granted is subject to a
29 delinquency penalty of \$50.00 per month beginning in the month of August. This
30 delinquency penalty shall be in addition to the fees and penalties outlined above.

31 (f) Revocation of CPNC. A CPNC that is not renewed by July 31 is suspended. A CPNC
32 shall be revoked if a renewal is not submitted in May, June, July or within the extended
33 time period granted by the director or the designee.

34 (g) Extension for acquiring a vehicle and fee. Compliance with the requirement that a
35 CPNC holder must have a vehicle in service may be extended for a period of time by
36 the director of the department of safety and permits (or his designee) for good cause.
37 The first extended time period is limited to a maximum of 90 days. Additional
38 extensions may be granted but the aggregate of such extensions is limited to a
39 maximum of one year. There is no fee for the first extension. Additional extensions are
40 subject to a fee of \$50.00 per month. If a vehicle is not placed into service within the
41 extended time period granted by the director or the designee, the CPNC shall be
42 revoked.

43 **Sec. 162-1801. – Special regulations for school buses.**

44 In addition to the other applicable provisions of this chapter, all holders of a school bus
45 certificate of public necessity and convenience and school bus operators shall comply with the
46 applicable provisions of this article.

47 **Sec. 162-1802. – School bus liability insurance coverage.**

48 All school buses operating in the City shall have current liability coverage for each vehicle. The
49 liability coverage for a school bus shall be represented by a policy of liability insurance issued by
50 an insurance company authorized to do business in the state, either as an admitted company or a
51 surplus line company certified to do business in the state, provided that if same is written in a
52 surplus line company, and such policy shall provide for payment of a sum of not less than
53 \$5,000,000.00 to satisfy all claims for damages by reason of death, personal injury, and property
54 damage from any one accident by reason of the ownership, operation, maintenance or use of
55 such vehicle upon any street.

56 **Sec. 162-1803. – School bus parking and waiting areas.**

57 School buses shall be prohibited from parking, waiting, or stopping in areas which are prohibited
58 or restricted by Chapter 154 of this Code or the Comprehensive Zoning Ordinance. Vehicles
59 found to be parked, stopped, stored, or otherwise not actively operating in any such area shall be
60 subject to administrative action by the Ground Transportation Bureau under the provisions of
61 this Chapter in addition to action by any other enforcement agency of the City.

62 **Sec. 162-1804. – CPNC pre-requisite for contracting for service.**

63 (a) The owner, operator, or any other person in possession of a school bus as defined by
64 this Chapter shall not contract with the owner, operator, institution, or entity
65 responsible for the students who will be transported in said vehicle without the
66 issuance of a CPNC and presence of a valid inspection certificate.

67 (b) Owners, operators, institutions, and/or entities responsible for the students for whom
68 transportation is being provided shall ensure potential vendors possess the requisite

documentation from the City of New Orleans prior to allowing such vendor to transport children.

Secs. 162-1805 - 162-1809. – Reserved.

Division 2. – School Bus Driver Regulations

Sec. 162-1810. – School bus driver permit required.

It shall be unlawful for any person to operate a school bus within the city without possessing a current school bus driver's permit.

Sec. 162-1811. – Identification and uniform.

All school bus drivers are required to wear photo identification containing the operator's name and the affiliated company. This identification shall be worn during all duty hours and shall be worn to be plainly visible at all times. Every driver must wear a uniform T-shirt, jacket, collared shirt, or sweater with the school bus company's name or logo.

Sec. 162-1812. – School bus driver background checks.

(a) Applicants must be 21 years of age or older.

(b) Applicants for a school bus driver's permit, or a renewal thereof, must undergo a criminal background investigation as described in R.S. 17:15 and 15:587.1.

(c) Applicants must have a current and acceptable driving record verified as required by R.S. 17:491.1.

(1) Drivers must report moving violation convictions in accordance with CDL requirements.

(2) No driver or applicant shall be employed as a school bus driver if within the past five years, he/she has been convicted of, or has forfeited a bond on, any charge of:

91 A. DUI, possession, distribution, or use of a controlled dangerous substance,
92 as defined by R.S. 40:963 et seq.;

93 B. Leaving the scene of an accident involving an injury or fatality; or

94 C. Any felony involving the use of a motor vehicle.

95 (d) Drivers must have a commercial driver's license (CDL) issued by the state of Louisiana,
96 which includes a Passenger (P) and School Bus (S) endorsement. Airbrake
97 authorization shall also be required for operators of vehicles equipped with airbrakes

98 (e) Drivers must pass a physical and eye examination meeting current CDL requirements
99 annually. A copy of the examination record must be filed with the bureau before the
100 beginning of each school year.

101 **Sec. 162-1813. – Drug screenings.**

102 Applicants for a school bus driver permit must pass initial drug and alcohol screening
103 requirements and United States Department of Transportation-directed random testing, as
104 specified by the Federal Motor Carrier Safety Administration.

105 **Sec. 162-1814. – Training certificate and line letter.**

106 (a) Initial applicants for a school bus driver permit must submit a letter of employment
107 from a school bus company operating within the city and documentation of completed
108 training as required by the State of Louisiana Department of Education.

109 (b) Renewal applicants must submit documentation of completing continued certification
110 to include a minimum of eight hours biannually.

111 **Sec. 162-1815. – School bus attendants (Aides).**

112 It shall be unlawful for any individual to be employed as a school bus attendant on any school
113 bus which has been issued a CPNC under this article without first having been issued a school

bus attendant permit. The application criteria for a school bus attendant shall be the same as an applicant for a school bus driver's permit except for the driving requirements as outlined in 162-1812 (c) through (e), and 162-1814.

Secs. 162-1816 - 162-1819. – Reserved.

Division 3. – School Bus Vehicle Requirements

Sec. 162-1820. – Maintenance and appearance of school buses.

Each school bus driver shall be fully responsible for the exterior and interior physical appearance of the vehicle. Interiors of all school buses must be kept free of debris. Dashboards must be maintained free and clear of paraphernalia and other items not necessary for the operation of such vehicle. The penalty for one violation of this section within a one-year period shall be \$50.00. The penalty for a second violation within a one-year period shall be a minimum \$75.00 fine plus a minimum ten-day suspension from operating any school bus. The penalty for a third or subsequent violation within a one-year period shall be a minimum \$100.00 fine plus a minimum 90-day suspension from operating any school bus.

Sec. 162-1821. – School bus vehicle requirements.

No vehicle shall be approved to operate as a school bus under this chapter unless the vehicle is manufactured specifically to transport students and meets the specifications outlined in this chapter.

Sec. 162-1822. – School bus age requirements.

- (a) Any used school bus purchased for use in the City by or for a school system shall meet current state legal requirements for motor vehicles and shall meet state specifications for school buses that were in effect on the date the vehicle was manufactured. No vehicle with rated capacity of more than 10 passengers shall be classified as a school

bus and thereby used to transport students to and from school and school-related activities unless said vehicle originally was manufactured and certified as a school bus and maintained the certification as a school bus all in accordance with federal and state requirements throughout the life of the vehicle.

(b) All replacement school buses used on daily routes, at the time they are acquired by the owner, shall be no more than 10 model years old for all owners/operators and school districts. The number of years shall be determined from the date of the model year.

(c) Any school bus used as an activity or backup bus, at the time it is acquired by the owner and placed in service, shall be no more than 15 model years old. The number of years shall be determined from the date of the model year.

(d) Any school bus used as an activity or backup bus that is older than 15 model years shall not be used more than 60 consecutive school days in a school year.

(e) School buses shall not exceed the age of 25 model years.

(f) For purposes of this section, the vehicle's age shall be determined based on the vehicle's model year, such that a vehicle with a model year of 2000 shall have a vehicle age of one year as of January 1, 2001.

Sec. 162-1823. – Inspection required.

(a) Every school bus for which a CPNC has been issued pursuant to the provisions of this chapter shall be submitted to the for-hire vehicle inspection station by the CPNC holder, or their authorized designee, for mechanical inspection semi-annually.

(b) One of the two required inspections must be conducted in the months of June, July, or August prior to the beginning of the school year.

(c) Other inspections may be required pursuant to the provisions of this Chapter.

Sec. 162-1824. – Nonscheduled inspections.

All school buses shall at all times be subject to inspection by personnel of the Ground Transportation Bureau and be maintained in a condition of mechanical fitness with respect to each element of safety as required by law. The department of safety and permits shall have the power and authority to require inspections from time to time, other than those herein prescribed, when same through reason and sound judgment are deemed necessary.

Sec. 162-1825. – Criteria and regulation of inspection of school buses.

(1) General inspection requirements

(a) Notwithstanding any other provision of this chapter to the contrary, the director of the department of safety and permits, or his designee, shall have the authority to inspect school buses where they are customarily housed or at inspection locations deemed appropriate by the director.

(b) Every school bus shall be painted National School Bus Glossy Yellow except that the hood shall be painted the same color or lusterless black and its roof may be painted white. Bumpers shall be painted glossy black, except that for increased night visibility they may be covered with a retroreflective material.

(c) Investigators shall issue a "do not operate" for vehicles with improper emergency safety equipment, non-functioning stop arms or signals, no brake lights, broken door handles, balding tires, or for safety hazards.

(d) Each school bus shall be maintained in a clean condition. There shall be no tears or rust holes in the vehicle body and no loose pieces such as fenders, bumpers or trim hanging from the vehicle body. There shall be no unrepaired body damage or any condition that would create a safety problem or interfere with the operation of

the vehicle. Failure to maintain a vehicle in such a condition may result in a "do not operate."

(e) The time frame that deficient vehicles may operate with minor deficiencies, such as no hubcaps and deficiencies with signage, is set at three days or the next inspection date, whichever is sooner.

(2) School buses shall be inspected in accordance with the following criteria:

- (a) Proof of insurance;
- (b) CPNC certificate;
- (c) Vehicle registration;
- (d) License plate;
- (e) Proof of insurance;
- (f) A current and valid motor vehicle inspection certificate (brake tag)

(3) Exterior check list:

- (a) Brakes
- (b) Lighting systems
- (c) Stop arms
- (d) Crossing control arm
- (e) Audible backing alarm
- (f) Mirrors
- (g) Service door
- (h) Emergency exit door
- (i) Bumpers
- (j) Tires

- 206 (k) Mud flaps
- 207 (l) Windshield, windows, glass
- 208 (m) Exhaust system
- 209 (n) Battery
- 210 (o) Paint
- 211 (4) Interior checklist:
- 212 (a) Stepwell, aisle and floor covering
- 213 (b) Emergency equipment (first aid kit, fire extinguisher, warning devices)
- 214 (c) Defrosters
- 215 (d) Sun shield
- 216 (e) Instrument panel
- 217 (f) Seat belts, as required by manufacturer specifications
- 218 (g) Seats and guard rails
- 219 (5) Information to be displayed:
- 220 (a) The words "School Bus" must be on the front and rear of the vehicle in plain,
- 221 black letters at least 8 inches in height.
- 222 (b) CPNC identification number on the sides between the rear wheel and bumper,
- 223 rear and front;
- 224 (c) CPNC holder name displayed on the sides at the bottom center of the bus,
- 225 (d) Bus company name displayed at the beltline;
- 226 (e) The location of the battery identified by the word "battery" or "batteries" on the
- 227 battery compartment door in two-inch lettering;

(f) "Handicap" symbol, identifying the bus as equipped for or transporting student with disabilities; however, the symbol shall not be placed on the glass of the rear emergency exit;

(g) The stop arms shall be painted red with the word "Stop" in white letters, or the stop arms may be covered by a manufactured decal with the same color combination.

Secs. 162-1826 - 162-1829. – Reserved.

Division 4. – Operating Requirements

Sec. 162-1830. – School bus trip sheets and records.

(a) Pre-trip and post-trip inspection checklists, which shall be subject to the approval of the director of safety and permits, must be completed by drivers each day and maintained by the CPNC holder for a period of no less than two years and be available for examination by the director of safety and permits, or his designee.

(b) Every business entity or individual operating a school bus shall keep daily records including dispatch records, complaints, all accepted telephone calls, daily vehicle sign out logs, vehicle collision reports, service response time reports, reports of crime against for hire drivers, lost property reports, CPNC numbers, and drivers of each vehicle for which a CPNC has been issued. Such records shall be preserved for a period of two years and be available for examination by the director of safety and permits, or his designee.

248 **Sec. 162-1831. – School bus routes.**

249 Prior to the start of each school year, all routes must be filed with the bureau. Any changes or
250 alterations must be submitted in writing to the bureau within three business days prior to
251 changing the route.

252 **Secs. 162-1832 - 162-1899. – Reserved.”**

1 **SECTION 3.** That all references to the “Taxicab and For-Hire Vehicle Bureau” in the
2 City Code be changed to “Ground Transportation Bureau.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:

DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED: